Development Density

Options and Recommendations

Shoreland Lot Sizes
Impervious Surfaces
Nonconforming Lots
Setback Averaging

June 24, 2003 Advisory Committee Meeting

Shoreland Lot Sizes

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June 24, 2003

Current Standard

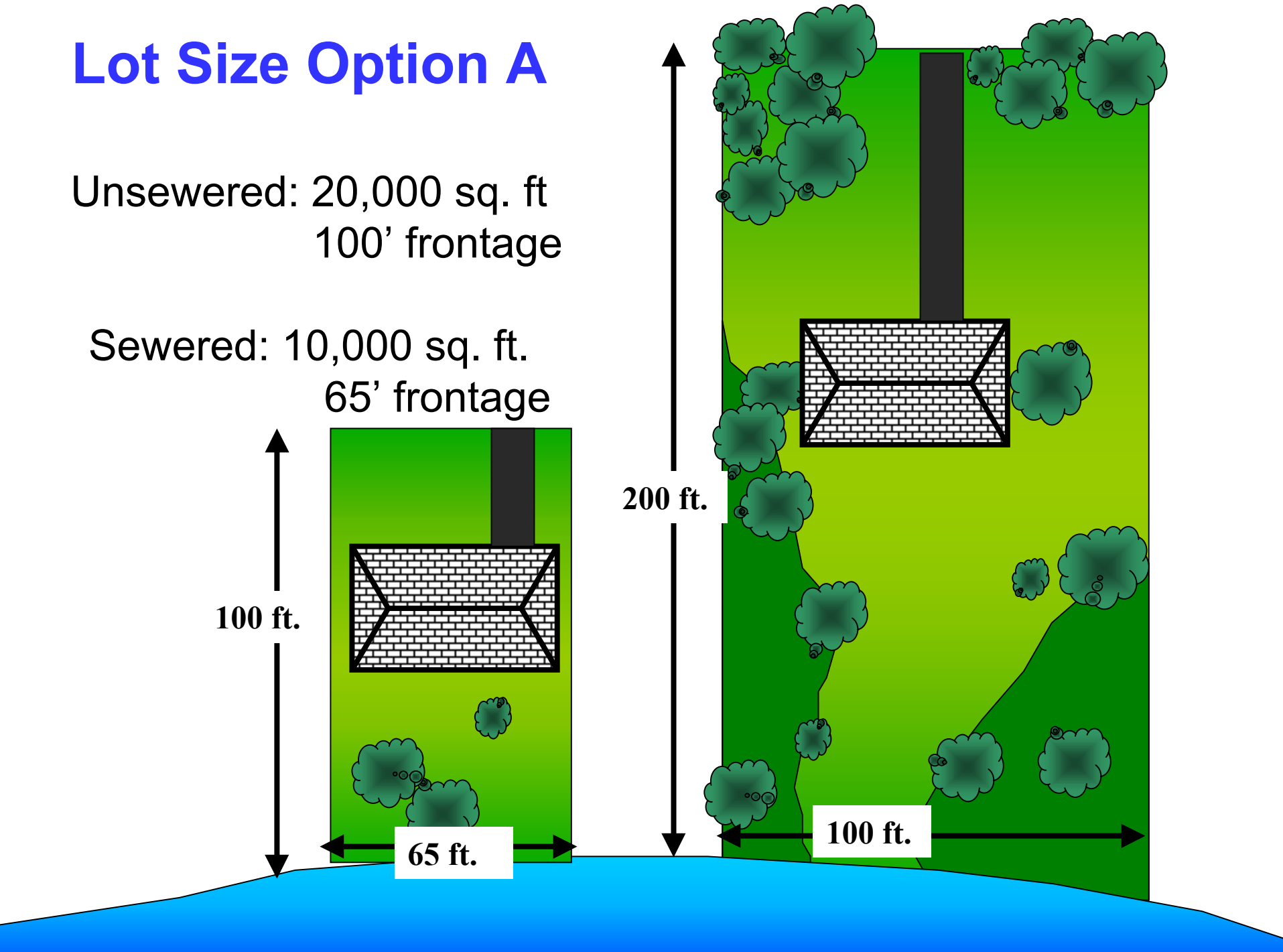
"Minimum lot sizes in the shoreland area shall be established to afford protection against danger to health, safety and welfare, and protection against pollution of the adjacent body of water.

- Lots served by public sanitary sewer shall have a minimum average width of 65 feet and a minimum area of 10,000 square feet.
- Lots not served by public sanitary sewer shall have a minimum average width of 100 feet and a minimum area of 20,000 square feet. " [NR115.05(3)(a).]

Lot Size Option A

Unsewered: 20,000 sq. ft
100’ frontage

Sewered: 10,000 sq. ft.
65’ frontage



Shoreland Lot Size Issues

- How and why should shoreland lot sizes differ from those in general zoning?
- Can we further protect water quality by increasing lot sizes and widths without putting waterfront properties out of reach for people of modest means?
- Can we protect the resources by creating development that is in proportion to the size of the available lot?

Do Current Lot Sizes Meet the Intent of the Program?

- Water Quality - A 1994 WI Modeling study estimated a 700% increase in phosphorus exported to a lake from a single property with a typical 1990s development - 3,350 square foot home setback 80 feet (Panuska 1994)
- Fish and Wildlife - As nesting cover and foraging areas are eliminated, fragmented or degraded, native wildlife declines in diversity and abundance (Bernthal 1997)
- Scenic Beauty - Placement and construction of structures can alter the natural quality of the shoreline.

What Have Counties Done?

- Many counties have increased the minimum shoreland lot sizes & widths for both sewered and unsewered lots.
- Waterbody classification, where lakes, rivers, and streams are “classified” based on sensitivity to pollutants, surface area, current level of development, shoreline configurations, hydrology and other factors.
- Other counties have just simply determined that lakes over 50 acres have a minimum lot size of 20,000 square feet and lakes under 50 acres or rivers and streams have minimum lot sizes of 40,000 square feet.

Guiding Principles

Limiting the density and intensity of shoreland development can safeguard our lakes, rivers and streams. Specifically the statute authorizing shoreland zoning [s. 281.31(1), Wis. Stats.] requires that:

"...(t)he purposes of the regulations shall be to further the maintenance of safe and healthful conditions; prevent and control water pollutants; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses and reserve shore cover and natural beauty."

Recommended Regulations

- For all lots within the shoreland zone, the lot size shall be:

  A. 10,000 square feet with 65 feet of frontage at the ordinary high water mark if the lot is served by public sanitary sewer and 20,000 square feet of frontage at the ordinary high water mark if the lot is not served by a public sanitary sewer

  B. 20,000 square feet with 100 feet of frontage at the ordinary high water mark

Recommended Regulations

C. 20,000 square feet with 100 feet of frontage at the ordinary high water mark and at the time of platting, the lot shall have at least 5,000 square feet of land which is not wetland, floodway of slopes greater than 20%

D. 30,000 square feet with 150 feet of frontage at the ordinary high water mark

E. 30,000 square feet with 150 feet of frontage at the ordinary high water mark and at the time of platting, the lot shall have at least 5,000 square feet of land which is not wetland, floodway of slopes greater than 20%

Why Remove the Distinction Between Sewered and Unsewered Lots?

The allowance for smaller lot sizes and widths is not justified given the cumulative impacts to the aquatic and riparian environment associated with the increased intensity of development in sewered subdivisions.

Impacts include:

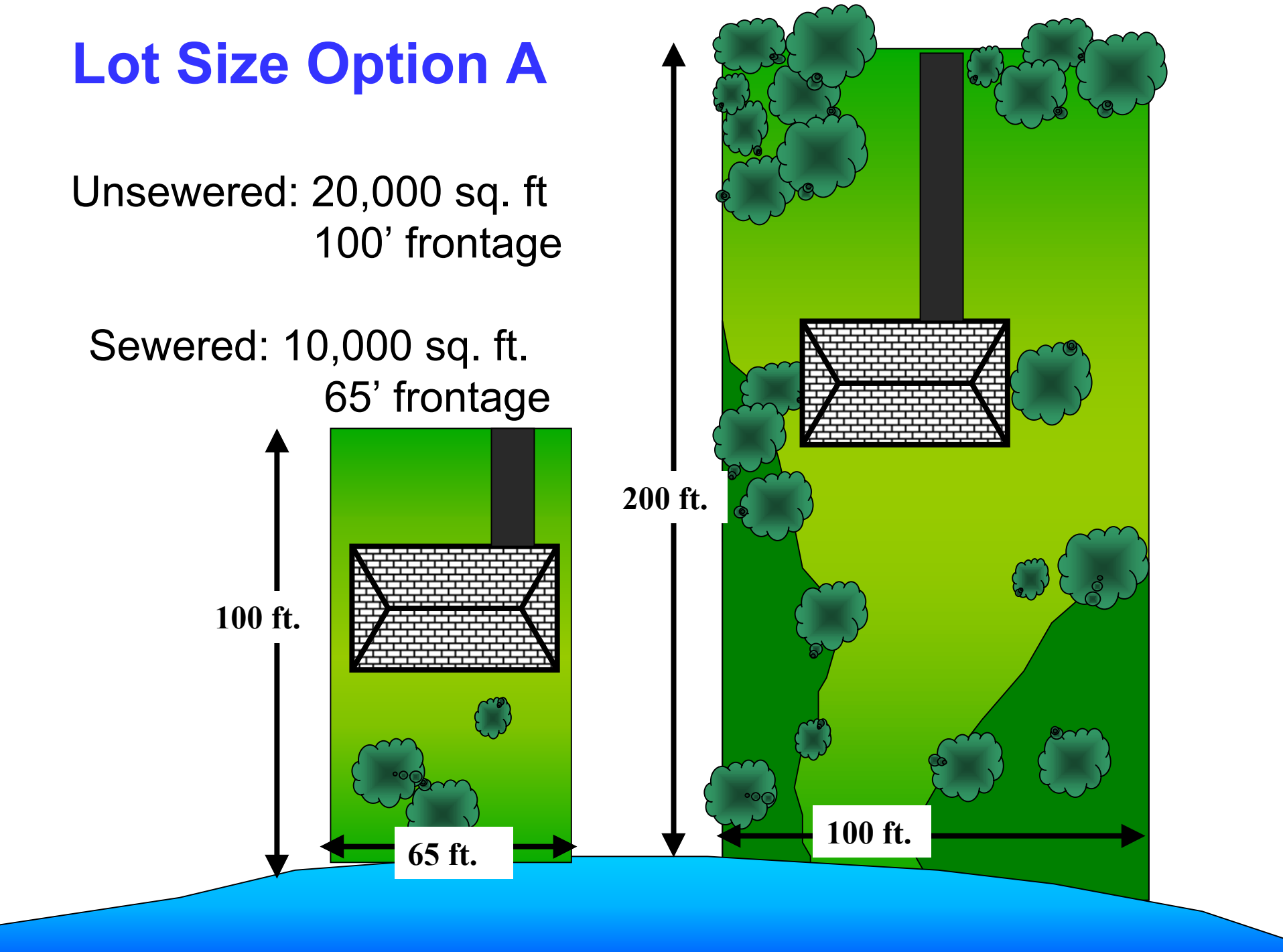
Impacts of Smaller Lot Sizes

- Littoral and riparian habitat fragmentation and simplification
- greater fragmentation of the primary buffer
- greater aesthetic impacts on the natural appearance of the shoreline and
- increased potential for user conflicts

Lot Size Option A

Unsewered: 20,000 sq. ft
100’ frontage

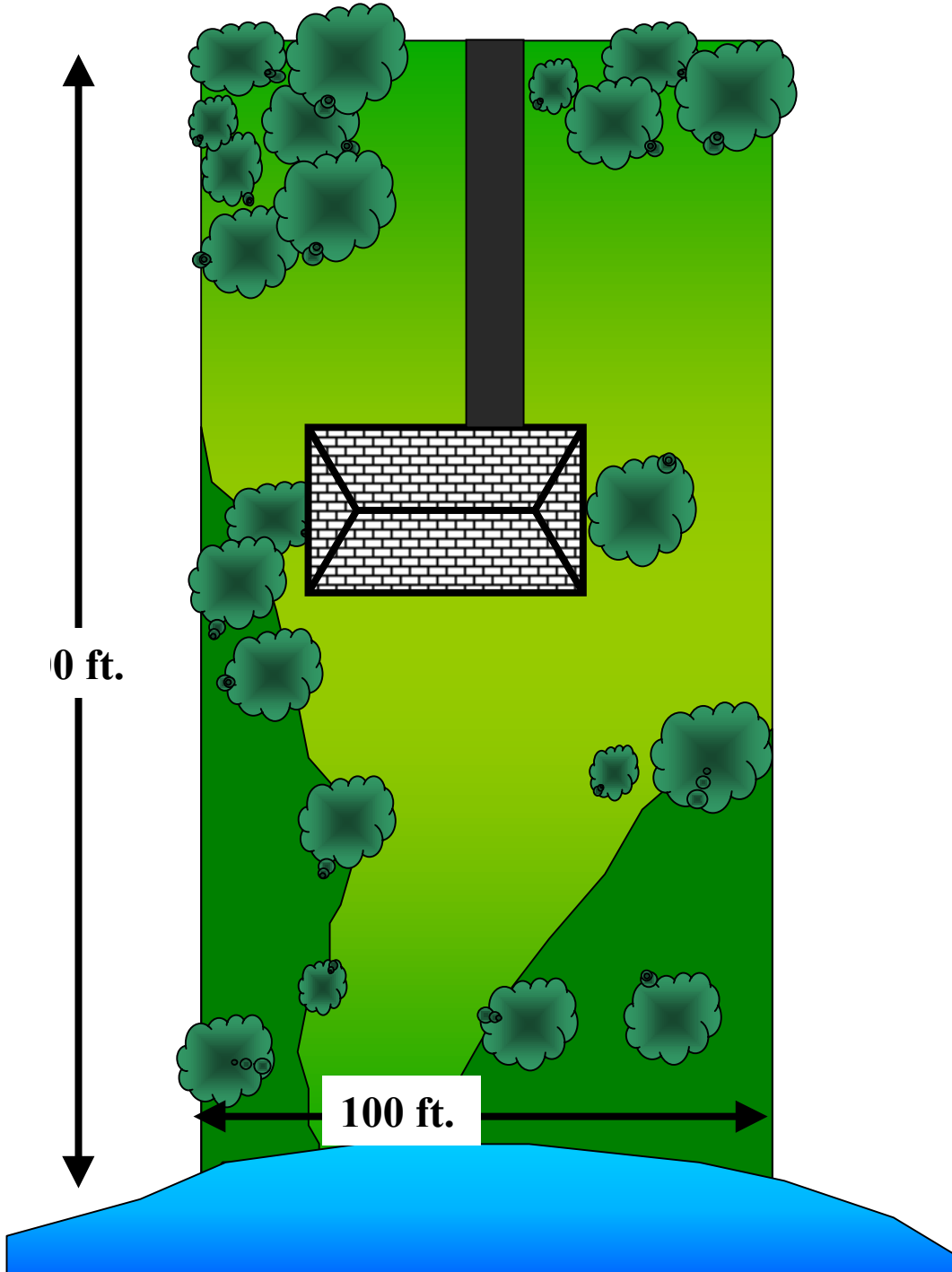
Sewered: 10,000 sq. ft.
65’ frontage



Lot Size Option B

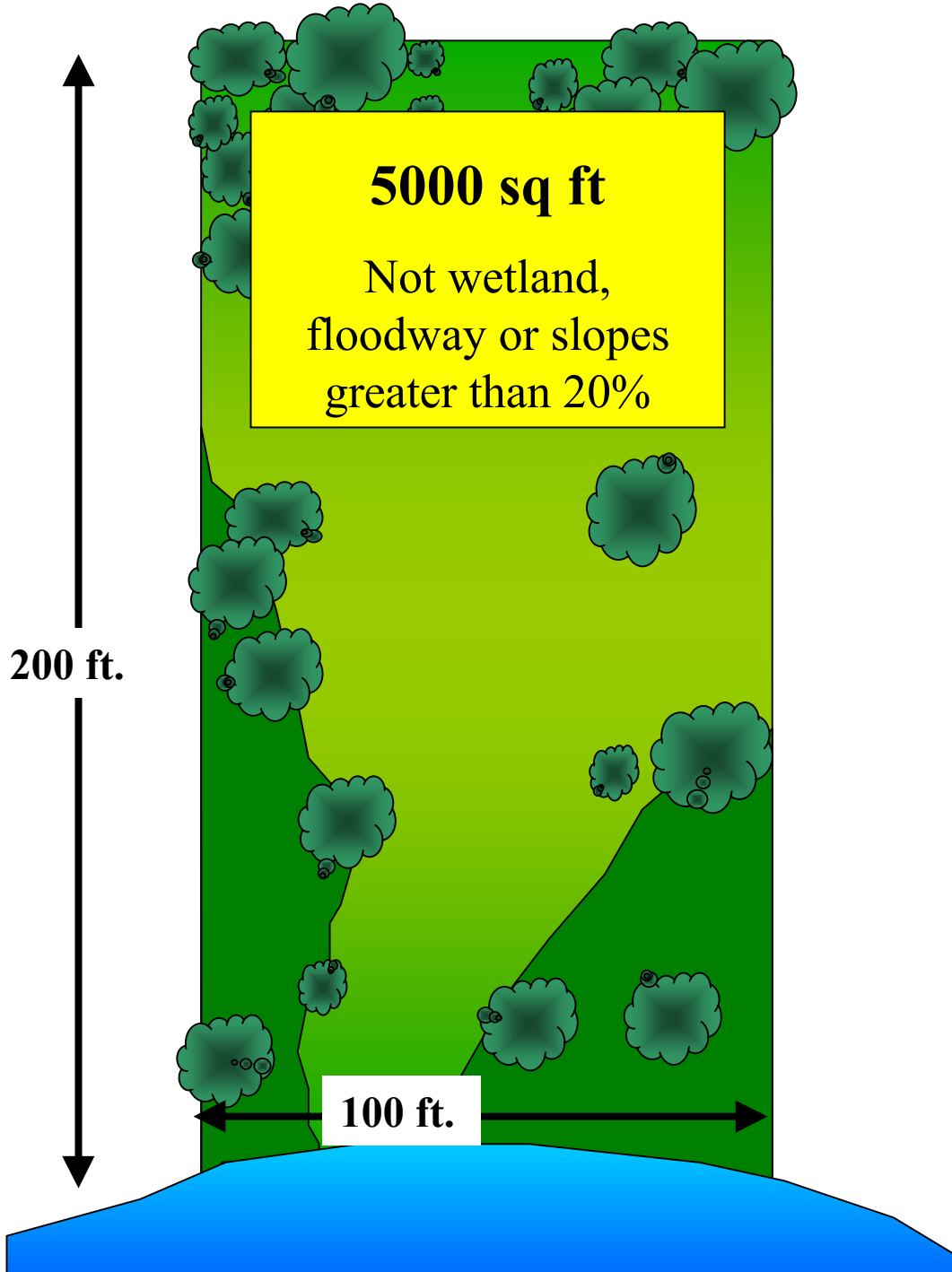
For all lots: 20,000 sq. ft
100’ frontage

52 homes per mile of shoreline



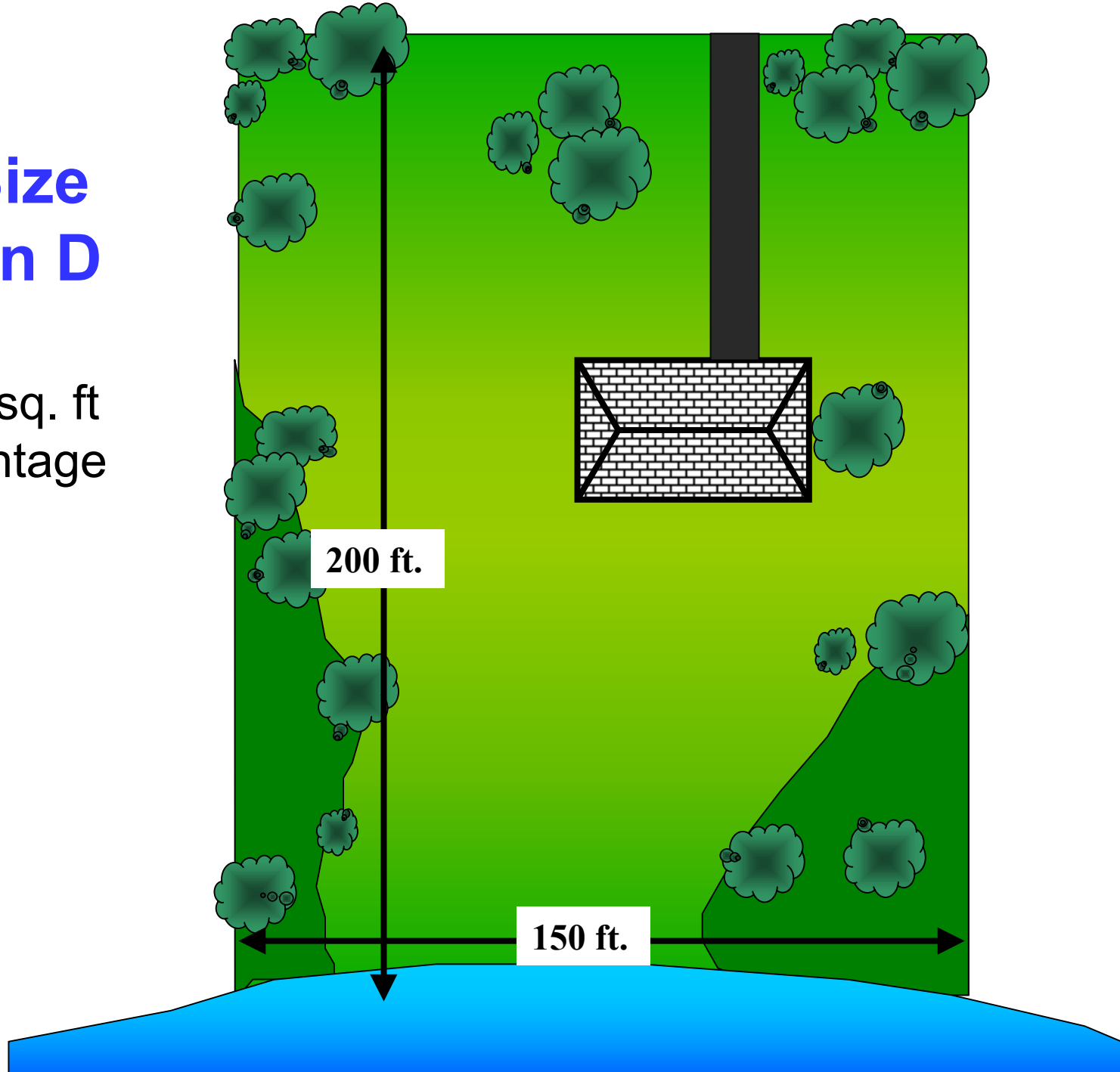
Lot Size Option C

20,000 sq. ft
100’ frontage
5000 sq. ft. buildable



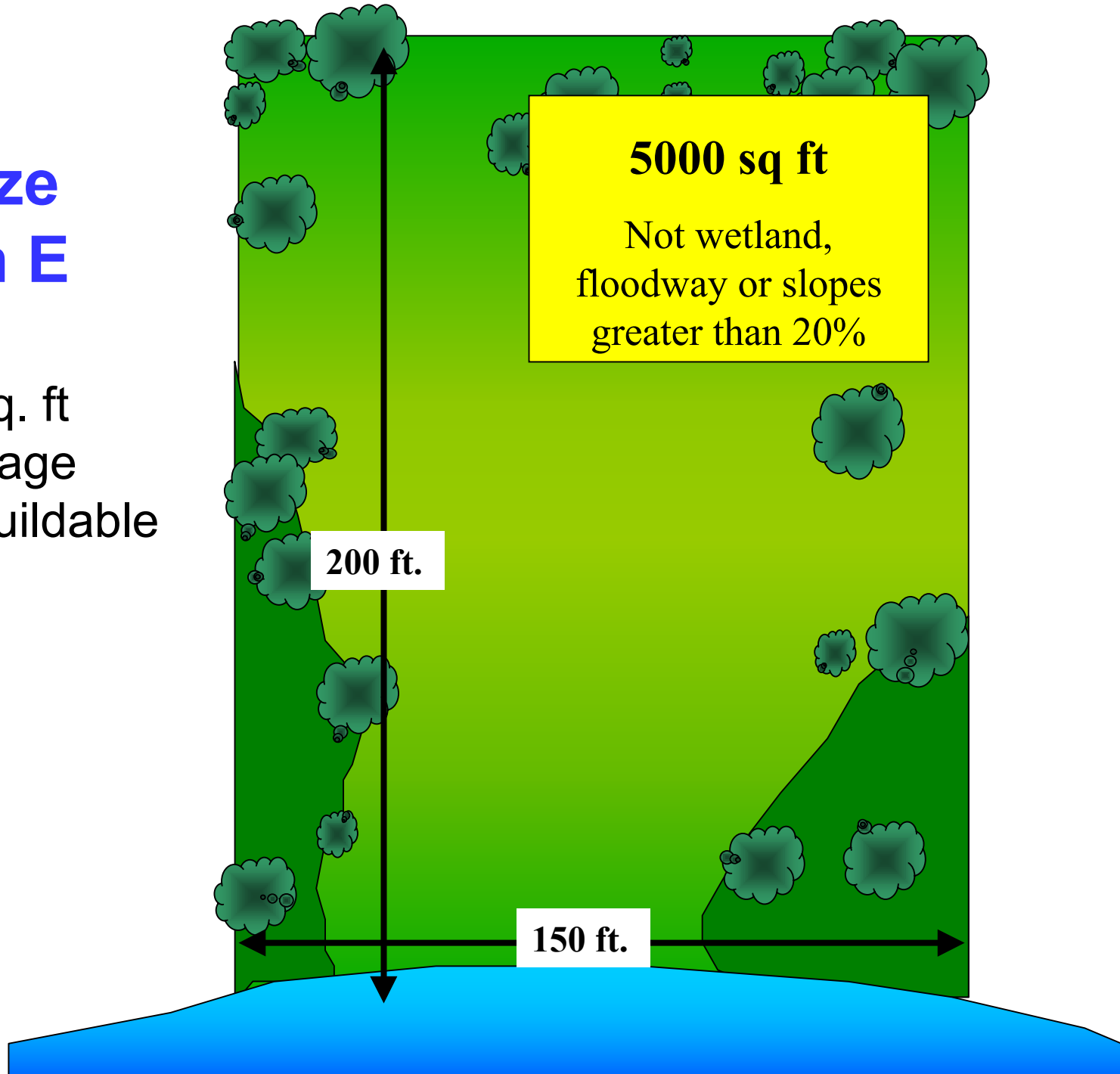
Lot Size
Option D

30,000 sq. ft
150’ frontage



Lot Size
Option E

30,000 sq. ft
150’ frontage
5000 sq. ft. buildable



Committee Decisions

- Do we want to have separate standards for sewered and unsewered lots?
- Do we want a minimum lot width?
  - If yes, how should the minimum lot width be applied? (4 options developed by AC)
- What is the minimum lot size? Options A-E

Lot Width

A . Minimum average lot width calculated from the OHWM to the setback

B Minimum square footage from the OHWM to the setback without minimum lot width provision

C Measure lot width at the OHWM and lot width at the setback and then calculate average lot width

D The amount of linear water frontage of the lot measured at the OHWM. The frontage width shall be measured perpendicular to the mean bearing of the side lot lines.

E Minimum lot width at any point within the setback area

F Minimum average lot width (current law)